

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

5.70 ACRES OF LAND, MORE OR
LESS, SITUATED IN STARR COUNTY,
TEXAS; AND PABLO A. RAMIREZ, INC.,
ET AL.,

Defendants.

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CASE NO. 7:08-CV-202

UNITED STATES OF AMERICA’S BRIEF ON JUST COMPENSATION

TO THE HONORABLE COURT:

On June 30, 2008, the United States of America filed a Declaration of Taking condemning 5.65 acres, identified as Tract RGV-RGC-1043, from a 144.380 acre parcel of real property owned by Pablo A. Ramirez, Inc. in Starr County, Texas, to construct and operate border security infrastructure.¹ Pursuant to the Court’s Order dated August 8, 2019², the United States of America (“United States”) files this individual briefing on just compensation.

I. Estimate of Just Compensation

1. The United States estimated just compensation for Tract RGV-RGC-1043 at \$25,000.00³ and deposited this amount with the Registry of the Court⁴.
2. The 144.380 acre parent tract is almost entirely within the flood plain. Acquired Tract RGV-RGC-1043 runs horizontal from west to east across the parent tract and is approximately 60 feet wide by 3,065 feet long, for a total of 5.650 acres. The acquisition

¹ See Dkt. Nos. 2 and 17.

² Dkt. No. 38.

³ Dkt. No. 17, Schedule FF.

⁴ See Dkt. Nos. 4 and 31.

of Tract RGV-RGC-1043 severed 22.173 acres of brush that now lie between Tract RGV-RGC-1043 and the Rio Grande River (the severed 22.173 acres is also referred to as a “riverside remainder”).



3. The United States did not obtain a formal appraisal when estimating the just compensation for Tract RGV-RGC-1043, but instead the United States Army Corps of Engineers reviewed comparable sales of similarly situated property to the parent tract to determine an estimate of just compensation of \$25,000.00.

II. Settlement Negotiations

4. The United States rejected Defendant’s counteroffer of \$305,419, and made a second offer that is still awaiting a response by Defendant.
5. The United States has settlement authority in this case.
6. If settlement negotiations prove unsuccessful, a scheduling order that includes time for the discovery process will be needed to obtain a formal appraisal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on October 15, 2019, a copy of the foregoing has been electronically filed with the CM/ECF system, which will automatically serve a Notice of Electronic Filing on counsel of record.

By: *s/ Megan Eyes*
MEGAN EYES
Assistant United States Attorney